



## Exempt Action Final Regulation Agency Background Document

<b>Approving authority name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) citation</b>	9 VAC 25-110
<b>Regulation title</b>	General VPDES Permit for Domestic Sewage Discharges Of Less Than Or Equal To 1,000 Gallons Per Day
<b>Action title</b>	Reissuance of Existing Regulation
<b>Final agency action date</b>	September 27, 2005
<b>Document preparation date</b>	September 15, 2005

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

This regulatory action will reissue the existing general VPDES permit for domestic sewage discharges of less than or equal to 1,000 gallons per day, to expire on August 1, 2006. The general permit regulation sets forth guidelines for the permitting of discharges of treated wastewater from small volume sources of domestic sewage. Plants discharging small volumes are typically installed at individual homes, duplexes, churches, gas stations, etc., when central sewer is not available and the soil conditions prohibit the use of onsite disposal methods, such as septic tanks and drainfields. The significant revisions to the regulation are as follows:

- The effluent limitations have been revised to recognize changes in the Virginia Water Quality Standards regarding bacterial standards and the disinfection policy.

Recent study results indicate that chlorine appears to be an appropriate surrogate for *E. coli* bacteria when the discharge is into freshwater. The Total Residual Chlorine instantaneous

maximum limit in the final effluent has been change from "Non-Detectable" to "0.016 mg/l", and a quantification level of 0.1 mg/l has been added.

When disinfection methods other than chlorine are used and the discharge is into freshwater, the E. coli standard applies. An "E. coli" limit has been added for those dischargers who do not use chlorine for disinfection, and the discharge is into freshwater. An instantaneous maximum limit of 235/100 ml has been set, and continuous disinfection capability is required to be provided in order to maintain this effluent limit.

When the discharge is into saltwater or a transition zone, the enterococci standard applies. An "enterococci" parameter has been added for discharges into saltwater or transition zones, regardless of the disinfection method. An Instantaneous Maximum Limit of 104/100 ml has been set, and continuous disinfection capability is required to be provided in order to maintain this effluent limit.

For discharges into shellfish waters, in addition to the appropriate chlorine, E. coli or enterococci limits, the general permit will continue to limit fecal coliform bacteria because the Virginia Department of Health, Bureau of Shellfish Sanitation, still uses fecal coliform as an indicator for determining the quality of shellfish waters.

- For existing treatment works, the permit no longer requires that a copy of the maintenance contract be submitted along with the registration statement. However, the permittee must indicate if a valid maintenance contract has been obtained, or if an exception has been requested and granted by DEQ. If applicable, the name of the contract provider and the expiration date of the current contract must be provided.
- The submittal of an Operation and Maintenance Plan for existing facilities is no longer required if an Operation and Maintenance Plan has been approved previously and remains current and complete. Also, the installation of an elapsed time meter is no longer required as part of the Operation and Maintenance Plan.
- Deadlines for submitting a registration statement have been clarified for new facilities, existing facilities, and new owners of existing facilities. Also, a provision clarifying late registrations has been added.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

The State Water Control Board adopted the amendments to 9 VAC 25-110 at the September 27-28, 2005 meeting.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability, including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The final regulation will have no direct impact on the institution of the family or family stability.